



California Integrated Waste Management Board

Linda Moulton-Patterson, Chair
1001 I Street • Sacramento, California 95814 • (916) 341-6000
Mailing Address: P. O. Box 4025, Sacramento, CA 95812-4025
www.ciwmb.ca.gov



Gray Davis
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Winston H. Hickox
Secretary for
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September 5, 2003

Mr. Enrique Medina Ochoa
City of Arvin
200 Campus Drive, P.O. Box 548
Arvin, CA 93203

RE: Results of the City of Arvin's SB 1066 Site Visit and Program Verification

Dear Mr. Ochoa:

Thank you for hosting my site visit to the City of Arvin (City) on Wednesday, June 4, 2003. I appreciated the opportunity to observe the waste diversion and disposal practices within the City. The purpose of this letter is to discuss the City's implementation of the existing SB 1066 extension request, to address the "revised" SB 1066 extension application that the City has submitted to the California Integrated Waste Management Board (CIWMB), and to address that the City is overdue in submitting its required SB 1066 status report.

During the site visit conducted on June 4, I reviewed with City staff the City's implementation of their SB 1066 programs. The results of my program verification are attached. Based on my site visit, I have some concerns regarding the City's implementation of programs identified in the Goal Achievement Plan (GAP). The City does not appear to be fully implementing all of its GAP programs to meet the 50% goal. The following programs are not being fully implemented: 1) Commercial on-site pickup at the largest generators; 2) Commercial bilingual education and outreach; 3) School outreach to educate students at all grade levels on the new blue cart program; and 4) Construction and demolition (C&D) recycling ordinance. CIWMB staff are concerned that these programs, at the time of the site visit, were not being fully implemented. This lack of implementation does not reflect a good faith effort on the part of the City to fulfill their plan.

In response to CIWMB staff's concerns that a number of programs were not being implemented at the time of the site visit, the City discussed with CIWMB staff the need to revise their SB 1066 programs. Since the site visit, the City has submitted a revised SB 1066 extension request. CIWMB staff has reviewed this request and has the following concerns that we would like to discuss with the City:

1. There is not sufficient information in the application to determine how the revised programs will meet the estimated diversion rates. CIWMB staff needs additional information to understand the estimated diversion rates. Information could include the basis for the City's estimated diversion rates from the mixed waste processing, projected tonnage estimates from the mixed waste facility, etc. Additionally, CIWMB staff needs information to support the projected diversion estimate for the drop-off program.
2. Staff needs additional information related to the City's proposed plan to "take over the responsibility of collecting refuse and recyclables from the residential and commercial sector on or around January 1, 2004."

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Staff need the following: 1) a detailed timeline; 2) specific information as to how this will take place; and 3) the contingencies that are proposed if the City is not able to take over refuse and recycling collection.

3. Additional information is needed on the funding source for the mixed waste processing program and how the gate fees will pay for this program.
4. Because a number of programs, such as the C&D ordinance, are not in the revised application, it is unclear if these programs are being dropped or not. If programs are proposed to be dropped, then there is not sufficient explanation in the application as to why the existing programs are not sufficient to meet the diversion requirements, and why the City is proposing to drop these programs. For example, there is not an explanation in the application as to why the C&D ordinance is being dropped in the revised application. City staff need to provide justification if this program is being dropped. It is also unclear in the revised application as to whether the street sweeping program, residential curbside program, and the school education are being continued or not; the City needs to clarify this. If the City is proposing to drop these programs, the City needs to explain why these programs are not necessary and what will be put in their place.
5. The application states that there will be a "stagnant period" where no new programs will be implemented. CIWMB staff needs clarification as to what this actually means. If the City were proposing to drop existing programs prior to implementing new programs, the City would need to provide sufficient justification to the CIWMB. Without justification and resolution of these program implementation issues, the City should be aware that the Board will have to consider whether the City is making a good faith effort or not. If the City is found not to be making a good faith effort to implement their programs, the City could be issued a compliance order that could result in fines of up to \$10,000 per day.
6. The City's diversion rate for 2000 is 29 percent based upon the CIWMB's adjustment method. However, the application states that the City is at a 36 percent diversion rate for the year 2000. It is unclear what that diversion rate is based on, CIWMB staff therefore needs to clarify this with City staff.

Staff would like to set up a conference call with the City to discuss the revised application and the questions that CIWMB staff have regarding the application.

With respect to the required status report that was due July 1, the City is past due in submitting it to the CIWMB. As of September 5, 2003, CIWMB staff still does not have current information on the City's program implementation efforts. The City should submit their status report immediately. If the City needs assistance, please contact me.

To confer on these concerns and questions, I will be contacting you to schedule a conference call during the week of September 8, if possible. I am encouraged that we can work together to address the City's proposed changes in program implementation. If you have any questions about this letter and my site visit/program verification results, please contact me at (916) 341-6271.

Sincerely,



Nikki Mizwinski
Office of Local Assistance

City of Arvin Site Visit Results June 3-4, 2003

Overall comments

The following are the results of CIWMB staff's site visit on June 3-4, 2003. Staff found that the City was implementing some programs, including residential curbside recycling. However, CIWMB staff also found that a number of programs were not being implemented or only partially implemented. The following is a description of the program implementation status for each program, CIWMB staff's comments and concerns for those programs not being fully implemented.

Program 1-Residential Curbside #2000:

1066 Program description: The expansion is a pilot program that features automated curbside collection of recyclables in a blue 96-gallon container from single-family units. Mountainside Disposal operates the program. Pick up is twice per month. Materials accepted are: aluminum cans, newspaper, cardboard, cereal-box type cardboard, plastics #1-3, steel cans, tin cans, phone books, magazines and junk mail.

Site visit/program verification results: This pilot program is being fully implemented. Approximately one-third of City single-family residents are served. However, the City had indicated to CIWMB staff that it may change the pilot program in lieu of pursuing two other options. The first option is to drop this program in favor of an expanded drop-off program. The second option is to collect recyclables with waste and use the Benz Materials Recovery Processing Facility. Staff needs additional information to understand how the changes to this program would result in the same or higher amounts of diversion, and how this program would be transitioned from the existing program to the new program.

Program 2-Commercial On-Site Pickup # 2030:

1066 Program description: Commercial and government mixed-paper diversion program-business and schools. Program features automated curbside collection of recyclables in an appropriately sized container. Mountainside Disposal operates the program. Pick-up frequency is customized for each account. Materials accepted are: aluminum cans, newspaper, cardboard, cereal-box-type cardboard, plastics #1-3, steel food cans, tin cans, phone books, magazines and junk mail. The program uses automated collection.

Site visit/program verification results: This program does not appear to be fully implemented. While service is being provided to schools, government offices, and other businesses, the City is not targeting service to several of the largest generators. For example, the following large businesses did not have diversion programs (materials in parentheses were being disposed): Salter Labs (3-40yd. bins of cardboard, 1-40yd bin of C&D, hundreds of pallets, and huge piles of agricultural plastic), Grimway Farms, Burger King (cardboard in 4yd bins), and McDonald's (cardboard in 4yd bins). Although we didn't see the six seasonal packing sheds in operation, both the City and hauler confirmed that these businesses are not receiving recycling services (materials generated are food waste, cardboard, pallets, produce). One large generator that is being served is the Ranch Market and it appears that contamination is minimal. Also, the City Corp yard does have service in a 40-yard bin; unfortunately the cardboard in the bin was so badly contaminated with greenwaste and trash that it was sent to the landfill. Promotion for this program has

been provided for free by the hauler. Staff needs confirmation that the City is continuing the promotion and outreach efforts to all of the generators, including the largest generators. The City indicated that they will talk to the largest generators, but have been considering dropping this program.

Program 3-Commercial On-Site Greenwaste Pick-up #3020:

1066 Program description: The program is being expanded to include more businesses and to include street sweeping diversion to Community Recycling and Resource Recovery (CR&R). This program's diversion includes 2% from the addition of street sweepings to CR&R and 4% from the business/schools/parks expansion. Automated curbside greenwaste collection, operated by the hauler (Mountainside Disposal), is composted at CR&R. The compost is available for sale to residents, city, and businesses. Site operators maintain a section of compost to be used by city contractors for city projects. Contractors often purchase the compost.

Site visit/program verification results: It appears that the street sweepings and greenwaste from businesses, schools, and parks is being collected. The outreach to support this program was being implemented by the hauler. Staff needs confirmation that the current level of greenwaste service and outreach will be continued. Staff observed at the site visit that there is also an opportunity for the City to collect food waste from large generators such as fast food restaurants, Salter Labs, Grimway Farms, and seasonal packing sheds, to increase the diversion rate. Currently, these businesses do not receive this service. The hauler has offered to provide this service to businesses. The hauler is collecting food waste from Ranch Market. CIWMB staff would like to discuss with the City the feasibility of implementing a food waste collection program.

Program 4-Print #5010:

1066 Program description: The city will conduct a bilingual mail out to educate and inform the public about the Arvin Recycling Center and the Smotherman Park drop off. Bi-lingual mail out to residents to inform them about the Residential Curbside blue cart program 2002.

Site visit/program verification results: This program appears to be implemented. The fliers submitted by the hauler thus far are well done and cover all aspects of program outreach that are necessary. Fliers are mailed/distributed approximately once each month. However, staff needs confirmation that the City will continue this outreach effort. The City was not sure this program is necessary, and may not continue it. The City also indicated that they may take over implementation. Staff recommends the City submit documentation and information as to the continuation of this program with the second program status update.

Program 5-Outreach #5020:

1066 Program description: As recommended by the Board to be included in the City's Plan, the City will expand education and outreach programs to target commercial generators in the commercial recycling and greenwaste programs, and the C&D program. Targeted outreach should be conducted bilingually.

Site visit/program verification results: At the time of the site visit, staff saw no indication of implementation. The hauler operated this program for free but as of the site visit (6-3/4-03) it was no longer being implemented. However, the City indicated that they had started to take over operation, and staff needs the City to confirm that the program is continuing and to what extent it is occurring. The City

should include an update in their status report, including examples of outreach, frequency, and types of outreach.

Program 6-Schools #5030:

1066 Program description: Work with the Community Clean Sweep Program to educate students on all grade levels of new residential curbside Blue Cart program.

Site visit/program verification results: At the time of the site visit, I saw no indication of implementation. The hauler operated this program for free, but as of the site visit (6-3/4-03) it was not being implemented. However, the City indicated that they had started to take over operation, and staff needs the City to confirm that the program is continuing and to what extent it is occurring. The City should provide in their status report examples of outreach. Staff mailed information to the City on 6/6/03 relating to a grant for this program from DOC.

Program 7-Economic Incentives #6010:

1066 Program description: The city will commit 50 percent of the money generated by the sale of curbside recyclables and materials from drop-off center programs to city youth programs.

Site visit/program verification results: This program was being fully implemented. This program was being implemented to a greater extent than as stated in the GAP. The hauler has committed 100, not 50 percent of the money generated by the sale of curbside recyclables and materials from drop-off center programs to city youth programs.

Program 8-Ordinances #6020:

1066 Program description: Concrete, asphalt and rubble recycling must be processed through Crown Disposal, as required by existing City ordinance. The following materials are accepted: concrete, sheet rock, rocks, bricks, dirt, ceramic tile, asphalt and rubble.

Site visit/program verification results: This program has not been fully implemented. This program/ordinance has not been enforced, and as of the site visit (6-3/4-03) is still not being implemented/enforced. C&D ordinance #322, submitted with the first status report, states that "C&D disposal from the City has been banned. All C&D must be processed at a C&D diversion facility as a requirement of each City building permit. Proof of final destination/diversion is to be submitted to the City Building Department." However, per my site visit, the City was not requiring or enforcing C&D to be recycled and final destination or end uses are not tracked. CIWMB staff are concerned that this program is not being implemented. Considering the growth in the City, a C&D program is needed to address this waste stream.

In summary, CIWMB staff found that some programs were not being fully implemented at the time of the site visit. CIWMB staff would like to further discuss these program implementation gaps with the City.